

CITY OF LOS ANGELES
CALIFORNIA

CITY ETHICS COMMISSION

DENNIS E. CURTIS
PRESIDENT

TREESA WAY DRURY
VICE-PRESIDENT

EVE FISHER

EDWIN GUTHMAN

ANN PETRONI



LSCA-0562
95 00678
BENJAMIN BYCEL
EXECUTIVE DIRECTOR

CITY ETHICS COMMISSION
201 NO. LOS ANGELES ST.
L.A. MALL - SUITE 2
LOS ANGELES, CA 90012
(213) 237-0310
(213) 485-1093 FAX

Date: March 31, 1995

To: All Interested Parties

INSTITUTE OF GOVERNMENTAL
STUDIES LIBRARY

APR 7 1995

From: The Los Angeles City Ethics Commission

UNIVERSITY OF CALIFORNIA

RE: MUNICIPAL LOBBYING UPDATE

In an effort to update interested parties about recent developments regarding the Los Angeles Municipal Lobbying Ordinance, we are providing the following items to you:

- A copy of California Business and Professions Code Section 6009 regarding the regulation of lawyer-lobbyists by local jurisdictions;
- Recent advice letters issued by the Ethics Commission that clarify various provisions of the lobbying ordinance and their applicability.
- Revised disclosure forms for your use. (This packet includes revised lobbyist, lobbying firm, and lobbyist employer quarterly report forms that contain revised "Reportable Campaign Contributions" schedules. These revised schedules will enable filers to identify which reportable contributions they *made, delivered, or acted as intermediary for*. Please note that these revised forms should be used for any future filings with the Commission).

If you have any questions about the lobbying ordinance or how it may apply to you, please contact LeeAnn Pelham or Dominic Alfaro at (213) 237-0310.

Enclosures



§ 6009. Lobbyists activities; registration and disclosures; prohibitions

(a) Notwithstanding any other provision of law, a city, county, or city and county may require attorneys who qualify as lobbyists, as defined by the local jurisdiction, to register and disclose their lobbying activities directed toward the local agencies of those jurisdictions, in the same manner and to the same extent such registration and disclosure is required of nonattorney lobbyists. Any prohibitions against specified activities by lobbyists enacted by a city, county, or city and county shall also apply to attorneys who qualify as lobbyists.

(b) For purposes of this section, information about a lobbyist that may be required to be disclosed is:

(1) The name, business address, and telephone number of the lobbyists, of any lobbying firm of which the lobbyist is a partner, owner, officer, or employee; and of any persons or lobbying firms paid to lobby by the lobbyist.

(2) The name, business address, and business telephone number of each client who pays the lobbyist to lobby; the specific matter and agency lobbied, itemized by client; and the amount of money paid to the lobbyist for lobbying and the total expenses of the lobbyist for lobbying, itemized by client.

(3) All gifts or payments made by the lobbyist to officials in the jurisdiction, itemized by the name of the official, the amount, date, and description of the gift or payment, and the names of the person making the gift or payment and the person receiving the gift or payment.

(4) All campaign contributions made, arranged, or delivered by the lobbyist to officials in the jurisdiction, specified by amount, date, and name of the official receiving the contribution.
(Added by Stats.1994, c. 526 (A.B.3432), § 1.)

CITY OF LOS ANGELES
CALIFORNIA

CITY ETHICS COMMISSION

DENNIS E. CURTIS
PRESIDENT

TREESA WAY DRURY
EVE FISHER
EDWIN GUTHMAN



BENJAMIN BYCEL
EXECUTIVE DIRECTOR

CITY ETHICS COMMISSION
201 NO. LOS ANGELES ST.
L.A. MALL - SUITE 2
LOS ANGELES, CA 90012
(213) 237-0310
(213) 485-1093 FAX

October 12, 1994

Mr. Dale J. Goldsmith
Alschuler, Grossman & Pines
1880 Century Park East, 12th Floor
Los Angeles, California 90067

Dear Mr. Goldsmith:

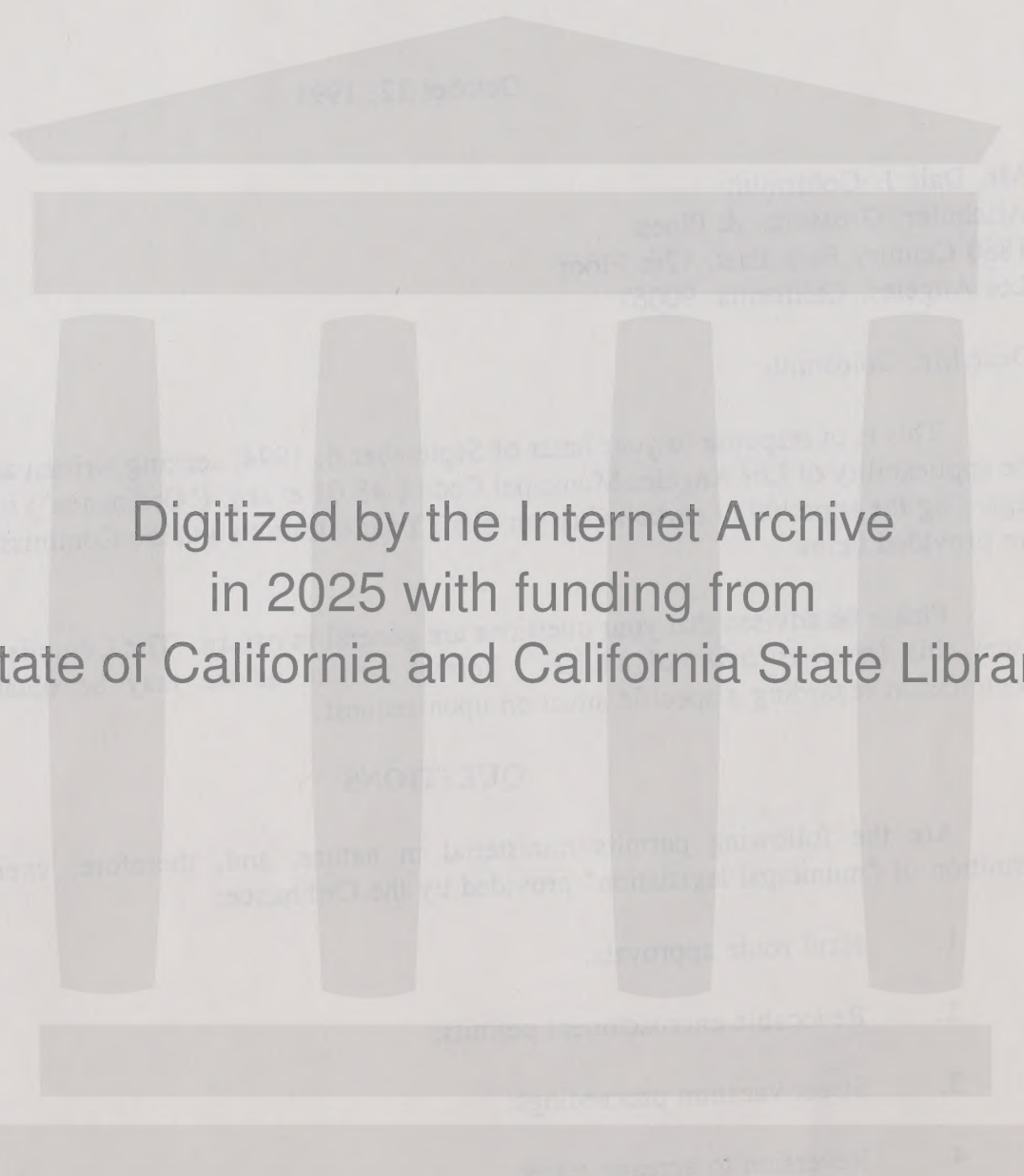
This is in response to your letter of September 6, 1994, seeking written advice regarding the applicability of Los Angeles Municipal Code § 48.01 *et seq.* ("Ordinance") to your activities regarding the approval of certain City permits. Your questions and the Commission's responses are provided below.

Please be advised that your questions are general in nature. The Commission, therefore, issues this letter as *informal* advice. Formal written advice may be obtained from the Commission regarding a specific situation upon request.

QUESTIONS

Are the following permits ministerial in nature, and, therefore, exempt from the definition of "municipal legislation" provided by the Ordinance:

1. Haul route approvals;
2. Revocable encroachment permits;
3. Street vacation proceedings;
4. Reversion to acreage maps;
5. Development agreement compliance proceedings;
6. Handicapped Access Appeals Board approvals;
7. Sign Advisory Appeals Board actions;



Digitized by the Internet Archive
in 2025 with funding from
State of California and California State Library

<https://archive.org/details/C101743101>

8. Cultural Heritage Commission proceedings; and
9. Board of Building and Safety Commissioners actions?

FACTS

Based on your letter to the Ethics Commission, we have determined the following facts to be relevant to your inquiry:

1. You state in your letter that clients of your firm have received City approval for development projects by obtaining the approval of zone changes, general plan amendments, specific plans, and development agreements. You did not identify either the clients involved or the projects in question.
2. To implement the already approved development projects, the City may require the developer to obtain additional City permits and approvals. The permits and approvals you mention are provided above.

APPLICABLE LAW

Los Angeles Municipal Code § 48.02 states, in pertinent part:

"Lobbyist" means any person who receives or becomes entitled to receive \$4,000 or more in compensation during any calendar quarter to communicate directly (either personally or through his or her agents) for the purpose of attempting to influence municipal legislation on behalf of any other person. Compensation does not include reimbursement of or payment for reasonable travel expenses. A person receives compensation within the meaning of this definition whether or not the compensation is received solely for activities regulated by the Article or is received both for lobbying activities and other activities as well. However, only that portion of compensation paid for the lobbying activities shall count toward the qualification threshold. A lobbyist "becomes entitled to receive compensation" when the lobbyist, or his or her lobbying firm, agrees to provide services regulated by this Article, or performs those services, regardless of whether payment is contingent on the accomplishment of the client's purposes. A lobbyist includes a person who owns an investment in a business entity if that person attempts to influence municipal legislation on behalf of the business entity or if that person acquires the investment as compensation for his or her lobbying services or in contemplation of performing those services.

"Municipal legislation" means any matter proposed or pending before any agency (as defined by this Article), including an administrative proceeding, if the Mayor, the City Council, any of its committees, any agency board, commission, committee, or general manager, or any agency officer or employee charged by law with holding a hearing and making a decision, is charged by law with making a final decision on the matter. However, "municipal legislation" does not include ... [a]ny ministerial action.

ANALYSIS AND CONCLUSION

The following analysis sets forth why haul route approvals, revocable encroachment permits, street vacation proceedings, and reversion to acreage maps are not ministerial actions. More detailed information is required as to Handicap Access Appeals Board approvals, Sign Advisory Appeals Board approvals, Cultural Heritage Commission proceedings, and Board of Building and Safety Commissioners actions.

As stated in the definition of "lobbyist," registration is required of individuals who receive or become entitled to receive \$4,000 or more in compensation for attempting to influence municipal legislation during any calendar quarter. City approval of ministerial permits, however, does not constitute "municipal legislation" as defined by Section 48.02. Compensation received in connection with obtaining ministerial permits, therefore, does not count toward the registration threshold.

In defining "municipal legislation," L.A.M.C. sec. 48.02 specifically exempts "ministerial actions." However, the Ordinance does not define "ministerial action." Absent a definition of "ministerial action" in the 1974 Political Reform Act, as amended, or the regulations of the Fair Political Practices Commission, the Ethics Commission may refer to the body of written advice issued by the Fair Political Practices Commission on the subject to interpret the meaning of undefined terms. In this instance, the Kaplan Advice Letter, No. A-82-198, provides:

[A]n action is ministerial, even if it requires considerable expertise or professional skill, *if there is no discretion* as to the outcome (or at least, no discretion with respect to any part of the result which could influence the governmental decision in question. An example of this would be a complex calculation for which there is a single right answer. While it might take a person with a great deal of technical expertise and judgement to find the answer, such a person would still not be participating in a governmental policy decision for which the calculation

was necessary. However, this exception would not apply to technical tasks, such as most data gathering or analysis, in which the consultant makes judgements which can affect the ultimate decision in question.¹ *[Emphasis Added]*.

The following examples of permits, which you provided to the Ethics Commission in your letter, are analyzed below. Where you named a specific permit or approval, the Ethics Commission reviewed the standard for the approval to determine if the issuance of such a permit or approval was or was not ministerial.

Haul Route Approvals

A haul route approval application is filed with the Department of Building and Safety Grading Division. Approval of the transport route is required when removing from or bringing into a construction site more than 1,000 cubic yards of "earth material." L.A.M.C. Section 91.7002(g), in pertinent part, states:

At a public hearing, the Board of Building and Safety Commissioners shall consider the views and the applicant and all other affected persons. The Board shall then grant or conditionally approve of export and import operations or, in the event it determines that the grading activity including the hauling operation will endanger the public health, safety and welfare, it shall deny the request.

The final decision is made by a vote of the Board of Building and Safety Commissioners who must determine whether the public health, safety and welfare are endangered. Therefore, this is a discretionary and not a ministerial procedure. It is therefore "municipal legislation" as defined by the Ordinance.

Revocable Encroachment Permits

Revocable encroachment permits are required for the placement of objects in a public

¹ To illustrate this point, we offer the example of obtaining a driver's license. The process involves both a written test and a field (driving) test. The written test is multiple choice and is graded according to the established answers to the questions. The grading of this test is a ministerial action. The field test is graded by an official of the Department of Motor Vehicles who must make a judgement as to whether the examinee performed the required elements of the exam satisfactorily. This type of review is a discretionary action because it requires the DMV official to make a subjective determination of the examinee's driving skills.

right of way which are not provided by any other ordinance. Such a permit would be required for placing temporary tables and chairs on a sidewalk outside of a restaurant or the erection of a fence on public property. The Board of Public Works makes a determination on the permit based on whether or not the encroachment is a "reasonable" intrusion into the public right of way. Clearly, determining what is a "reasonable" intrusion is a subjective judgement based on both the specific set of facts and the official's judgement. The approval or denial of this permit is not ministerial and, therefore, is "municipal legislation" under the Ordinance.

Street Vacation Proceedings

A "vacation" proceeding is required for the abandonment or termination of a public right to use all or a portion of a street. California Street and Highways Code Section 8323 states, in pertinent part:

If the city council finds, from all the evidence submitted, that any street or part thereof, described in the ordinance or resolution of intention, is unnecessary for present or prospective public street purposes, the city council may make its order vacating such street or part thereof.

The City Council must make the determination whether the public use of the street in question is unnecessary not only in the present, but also in the future. Such a determination requires the Councilmembers to make a subjective decision. Such a proceeding, therefore, is "municipal legislation" under the Ordinance.

Reversion to Acreage Maps

California Government Code Section 66499.16 states:

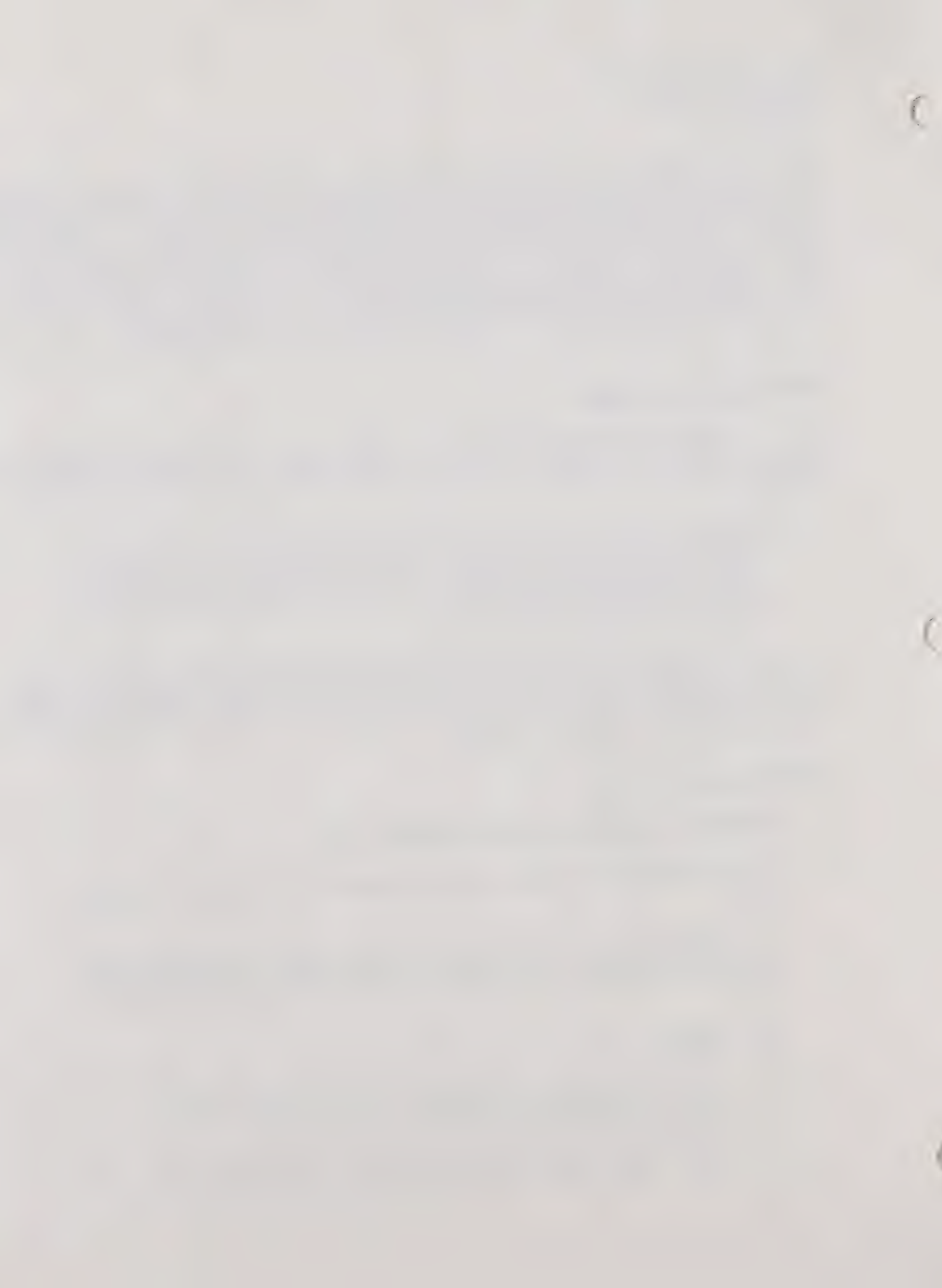
Subdivided property may be reverted to acreage only if the legislative body finds that:

(a) Dedications or offers of dedication to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes; and

(b) Either:

(1) All owners of an interest in the real property within the subdivision have consented to the reversion; or

(2) None of the improvements required to be made have been



Mr. Dale J. Goldsmith

October 12, 1994

Page 6

made within two years from the date the final or parcel map was filed for the record, or within the time allowed by agreement for completion of the improvements, whichever in the later; or

(3) No lots shown in the final map or parcel map have been sold within five years from the date such map was filed for the record.

While the criteria provided by Subdivision (b) are ministerial, Subdivision (a) requires the legislative body -- in this case the City Planning Commission -- to determine whether dedications or offers of dedication are "unnecessary for present or prospective public purposes." Making such a determination is a subjective decision made by the individual members of the City Planning Commission, and is, therefore, discretionary. As such, the process is not ministerial and is "municipal legislation" as defined in the Ordinance.

Development Agreement Compliance Proceedings

We are still researching development agreement compliance proceedings and whether they are ministerial in nature. Consequently, rather than delaying your receipt of our answers to your other questions, we will respond to this issue under separate cover.

Handicapped Access Appeals Board Approvals

Sign Advisory Appeals Board Approvals

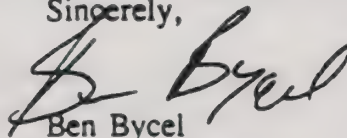
Cultural Heritage Commission Proceedings

Board of Building and Safety Commissioners Actions

Each of these bodies has varied roles in the implementation of City land-use policy. In your letter, you do not describe the type approval you seek from these bodies. Without such detailed information, the Commission cannot answer whether or not such approvals are subject to the Ordinance.

Thank you for checking with the Ethics Commission on these matters. If you have any questions concerning this advice, please contact Dominic Alfaro of the Policy and Operations Division at (213) 237-0310.

Sincerely,



Ben Bycel
Executive Director

CITY OF LOS ANGELES
CALIFORNIA



CITY ETHICS COMMISSION

DENNIS E. CURTIS
PRESIDENT
DR. CYNTHIA ANN TELLES
VICE-PRESIDENT
TREESA WAY DRURY
EVE FISHER
EDWIN GUTHMAN

BENJAMIN BYCEL
EXECUTIVE DIRECTOR

CITY ETHICS COMMISSION
201 NO. LOS ANGELES ST.
L.A. MALL - SUITE 2
LOS ANGELES, CA 90012
(213) 237-0310
(213) 485-1093 FAX

October 24, 1994

Mr. Steve Bullock
Cerrell Associates, Inc.
320 North Larchmont Boulevard
Los Angeles, California 90004

Dear Mr. Bullock:

This is in response to your letter dated September 13, 1994 requesting written advice from the City Ethics Commission regarding the types of activities and compensation regulated by Los Angeles Municipal Code § 48.01 *et seq.*, as amended ("Ordinance"). Your questions and the Commission's responses are provided below.

Because your questions do not concern the applicability of City law to a specific set of circumstances, this letter is issued as informal advice. Formal written advice may be obtained from the Commission regarding specific situations upon request

QUESTIONS

1. Are lobbying activities limited to oral and written forms of direct communication with a City official?
2. Are there forms of in-direct communications which are also considered acts of "attempting to influence?"
3. Is the time spent researching information in preparation for writing correspondence to Lacking such a definition and absent any regulation clarifying these terms, the Ethics Commission looks for general guidance to the common usage of such terms. a City official included as time spent "attempting to influence?"
4. Is the development of strategy between a lobbyist and a client, information which is not shared with any City official, included as time spent "attempting to influence?"
5. Are activities which seek independent, third party endorsements or opposition (i.e. "grassroots support") to proposed municipal legislation considered time spent "attempting

- to influence?" What if that party refuses such a request or fails to make direct communication with a City official?
6. Is the act of seeking editorial support or opposition by the news media considered time spent "attempting to influence?"
 7. Is the monitoring of an official City meeting, if no contact is made with any City official, considered time spent "attempting to influence?"
 8. Is the time invested learning the background and details of an issue considered time spent "attempting to influence?"
 9. Is the act of gathering information which is used to educate a client considered time spent "attempting to influence?"
 10. Is the time spent researching or preparing formal documents which are incorporated as part of a response to a City-issued Request for Proposals considered time spent "attempting to influence?"
 11. Is the time spent preparing for or participating in the formal presentation of a client's response to a City-issued Request for Proposals considered time spent "attempting to influence?"
 12. What parts of an employee's compensation should be considered when determining whether the \$4,000 per quarter compensation test has been met?
 13. Does compensation include only monetary wages?
 14. Does compensation also include various fringe benefits which may be provided by the lobbying firm, such as: bonuses, employer-paid payroll taxes, medical and health benefits, vacation and sick pay?
 15. If an employee is paid on a salary basis without regard to the level of activity expended, should that salary be pro-rated for activities which are considered lobbying?

APPLICABLE LAW

Los Angeles Municipal Code § 48.02 states, in pertinent part:

"Attempting to influence" means promoting, supporting, opposing or seeking to modify or delay any action on municipal legislation by any means, including but not limited to providing or using persuasion, information, statistics, analyses or

studies. A person attempts to influence municipal legislation when he or she communicates directly with any agency officer or employee for the purpose of influencing a decision.

"Lobbyist" means any person who receives or becomes entitled to receive \$4,000 or more in compensation during any calendar quarter to communicate directly (either personally or through his or her agents) for the purpose of attempting to influence municipal legislation on behalf of any other person. Compensation does not include reimbursement of or payment for reasonable travel expenses. A person receives compensation within the meaning of this definition whether or not the compensation is received solely for activities regulated by the Article or is received both for lobbying activities and other activities as well. However, only that portion of compensation paid for the lobbying activities shall count toward the qualification threshold. A lobbyist "becomes entitled to receive compensation" when the lobbyist, or his or her lobbying firm, agrees to provide services regulated by this Article, or performs those services, regardless of whether payment is contingent on the accomplishment of the client's purposes. A lobbyist includes a person who owns an investment in a business entity if that person attempts to influence municipal legislation on behalf of the business entity and if that person acquires the investment as compensation for his or her lobbying services or in contemplation of performing those services.

"Municipal legislation" means any matter proposed or pending before any agency (as defined by this Article), including an administrative proceeding, if the Mayor, the City Council, any of its committees, any agency board, commission, committee, or general manager, or any agency officer or employee charged by law with holding a hearing and making a decision, is charged by law with making a final decision on the matter. However, "municipal legislation" does not include ... [a]ny ministerial action.

Los Angeles Municipal Code § 48.03 D states, in pertinent part:

The following persons are exempt from the requirements of this Article ... [a]ny person whose only activity is submitting a bid on a competitively bid contract, submitting a written response to or participating in an oral interview for a request for proposals or qualifications, or negotiating the terms of a written agreement with any City agency if selected pursuant to that bid or request for proposals or qualifications. Except in regard to persons covered by subsection E and F, this exemption shall not apply to any person who attempts to influence the action of the Mayor or Mayor's staff, any member of the City Council or their staffs, or any board or commission member with regard to any such contract.

ANALYSIS AND CONCLUSION

Questions 1 through 9

Questions 1 through 9 inquire whether various types of activities are considered "attempting to influence," and, therefore, regulated by the Ordinance. These questions are substantially similar to questions received by the Ethics Commission prior to your inquiry and which the Commission currently is considering in the form of written advice letters and CEC Opinion 94-001. Copies of these letters will be provided to you upon their release, and you will be notified of the public hearing at which CEC Opinion 94-001 will be considered.

Questions 10 and 11

Section 48.03 D exempts from the definition of "municipal legislation" submitting a bid "on a competitively bid contract, submitting a written response to or participating in an oral interview for a request for proposals ["RFP"] or qualification ["RFQ"], or negotiating the terms of a written agreement with any City agency if selected pursuant to that bid or request for proposals or qualifications." The Ethics Commission interprets this to mean that time spent researching or preparing formal documents which are incorporated as part of a response to an RFP is not considered "attempting to influence" for purposes of the Ordinance. Similarly, time spent preparing for or participating in the formal presentation of a client's response to an RFP or RFQ is also not considered "attempting to influence."

Please note, however, that any direct contact with the Mayor, the staff of the Office of the Mayor, a member of the Council or his or her staff, or any board or commission member for the purpose of influencing that official's action on a request for proposals or qualifications are not exempted by this provision. Therefore, time spent and compensation received in connection with those contacts is considered "attempting to influence" and must be applied toward the registration threshold.

Questions 12 through 15

Compensation which counts toward the qualification threshold includes that portion of gross wages, gross salary, bonuses dividends and other distributed profits, partnership draws, and other forms of earned taxable income attributable to the time spent by an individual in connection with lobbying activities.

Reimbursement of expenses and non-monetary fringe benefits (e.g., health care and employer-paid medical and dental premiums) are not considered compensation for purposes of the ordinance. Payroll taxes deducted by an employer from an employee's paycheck and

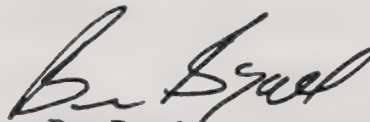
Mr. Steve Bullock
October 24, 1994
Page 5

compensation received for time spent on vacation or during an illness (i.e., sick time) may not be deducted from the calculation of the individual's compensated time, and, therefore, are applied toward the qualification threshold. In determining that portion of an individual's time spent on lobbying-related activities, compensated time spent on vacation and sick time should be included in total compensated time (see discussion below).

If 100 percent of a lobbyist's compensated time is spent conducting lobbying activities, then 100 percent of the lobbyist's compensation is applied toward the registration threshold. If less than 100 percent of the lobbyist's compensated time is spent on lobbying activities, then that percent of the lobbyist's salary is applied toward the registration threshold. The resulting amount, if \$4,000 or more during the calendar quarter, would trigger the registration requirements of the Ordinance.

Thank you for checking with the Ethics Commission on these matters. If you have any questions concerning this advice, please contact Dominic Alfaro at (213) 237-0310.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Bycel", written in a cursive style.

Ben Bycel
Executive Director

TY OF LOS ANGELES
CALIFORNIA

CITY ETHICS COMMISSION

DENNIS E. CURTIS
PRESIDENT
DR. CYNTHIA ANN TELLES
VICE-PRESIDENT
TREESA WAY DRURY
EVE FISHER
EDWIN GUTHMAN



BENJAMIN BYCEL
EXECUTIVE DIRECTOR

CITY ETHICS COMMISSION
201 NO. LOS ANGELES ST.
L.A. MALL - SUITE 2
LOS ANGELES, CA 90012
(213) 237-0310
(213) 485-1093 FAX

October 24, 1994

Mr. Brian W. Maas
Pillsbury Madison & Sutro
400 Capitol Mall, Suite 1700
Sacramento, California 95814

Dear Mr. Maas:

This is in response to your September 8, 1994 letter requesting written advice from the Ethics Commission. In your letter, you asked the Commission several questions concerning clarification of the Municipal Lobbying Ordinance (Los Angeles Municipal Code § 48.01 et seq., as amended) (the "Ordinance"). Your questions and the Commission's responses are detailed below.

Your questions 1, 2, 5, 6, 8, 10, 11 and 12 are specific in nature, and, therefore, the Commission's responses to them are issued as formal advice. The other questions you pose, however, are general rather than specific in nature, and therefore the Commission is responding to those with informal advice. Formal written advice for these other questions may be obtained upon request from the Commission if you provide specific facts to us.

As stated in our letter to you dated September 14, 1994, Charter § 600 N provides a twenty-one working day period for the Commission to respond to requests for formal written advice. Charter § 600 N also provides for the extension of this period in certain situations. Due to the number and nature of your questions, we were unable to respond to your request within the twenty-one day period. We apologize for any inconvenience this may have caused.

QUESTIONS AND ANSWERS

Provided below in bold face print are those questions contained in your letter to the Commission. The Commission's responses are given in normal type.

1. Although the definition of "lobbyist" in the Ordinance provides that "persons" can qualify as such, the CEC's lobbying disclosure forms appear to assume that only individuals will so qualify. Please confirm that only individuals can qualify as lobbyists under the ordinance.

You are correct in your assumption that only individuals may qualify as lobbyists. "Person," as provided in LAMC Section 48.02 means "any individual, business entity, trust, corporation, association, committee, or any other organization or group of persons acting in concert." While the definition of "lobbyist" provided in LAMC Section 48.02 uses the descriptive term "person," the narrower term "individuals" is used in the "Key Definitions" section of the *Los Angeles Municipal Lobbying Ordinance: Forms and Instructions* manual, thus recognizing the fact that a lobbyist is an individual. This fact is also reflected on the lobbyist registration form as noted in your question.

2. To qualify as a lobbyist, an individual must "communicate directly" for the purpose of influencing municipal action. Similarly, to qualify as a lobbying firm, an entity or individual must receive compensation to "communicate directly" for the purpose of influencing municipal legislation. However, the Ordinance does not appear to specify with whom that direct communication must occur. Please confirm that only direct communication with City officials will trigger qualification as a lobbyist or lobbying firm.

As stated in the definition of "attempting to influence" provided in LAMC § 48.02, "[a] person attempts to influence municipal legislation when he or she communicates directly with any agency officer or employee for the purpose of influencing a decision" (emphasis added). Therefore, communication with any agency official or employee of the agency for the purpose of attempting to influence municipal legislation on behalf of a client would trigger the qualification threshold.

3. The Ordinance does not define the following terms: "contribution," "expenditure," "payment," "intermediary," or "direct communication." Please confirm that, pursuant to Section 48.02, the definitions contained in the [Political Reform Act of 1974, as amended, ("Act")] and regulations promulgated thereunder by the Fair Political Practices Commission ("FPPC") regulations [*sic.*] will govern.

Los Angeles Municipal Code § 48.02 provides:

Other terms used in this Article shall have the meanings set forth in the California Political Reform Act of 1974, as amended, and in the regulations of the California Fair Political Practices Commission, as amended, if defined therein.

Pursuant to this section, "contribution," "expenditure," "payment," "intermediary," and "direct communication" have the same meanings as in California Government Code §§ 82015, 82025, 82044, and California Code of Regulations, Title II, §§ 18432.5 and 18239 C 1, respectively. To determine the applicability of these terms under City law, however, specific facts will be necessary.

4. Although the Ordinance defines certain terms, such as "activity expenses" and "attempting to influence," can the Act and FPPC regulations be used for further clarification as to the meaning of these terms?

Yes, for further clarification of these terms you may refer to the Political Reform Act ("Act") or to FPPC Regulations. To determine the applicability of these terms under City law, however, specific facts will be necessary.

5. There appears to be a drafting error in the definition of "municipal legislation." It reads in part:

"Municipal legislation" means any matter proposed or pending before any agency ... if [a specified city officer or employee] charged by law with holding a hearing and making a decision, is charged by law with making a final decision on the matter.

Please clarify the language.

There is no drafting error. The Ordinance defines "municipal legislation" to mean:

...any matter proposed or pending before any agency (as defined in this Article), including an administrative proceeding, if the Mayor, the City Council, any of its committees, any agency board, commission, committee, general manager, or any agency officer or employee charged by law with holding a hearing and making a decision, is charged by law with making a final decision on the matter."

"Municipal legislation" includes any matter that is pending or proposed before the Mayor, a departmental General Manager, or any City decisionmaking *body* (e.g. the City Council or any board, commission, or committee) if any of these persons or bodies is charged with making a final decision of the matter. In addition, "municipal legislation" also includes any matter that is pending before any City official who is authorized under law to make a final decision on the matter (e.g. a Zoning Administrator or Deputy Advisory Agency of the City Planning Department).

6. The definition of "lobbying firm" speaks in terms of an "entity," rather than the defined term "person." Is there a distinction between the terms "entity" and "person" for purposes of the Ordinance?

The term "entity" is meant to include business entities, trusts, corporations, associations,

committees, or any other organizations or groups of persons acting in concert. The only difference between "entity" and "person" is that "entity" does not include an individual. Please note, however, that the definition of "lobbying firm" *does* include an individual contract lobbyist.

7. Persons can qualify as "major filers" if they make payments or incur expenditures totaling \$5,000 or more during any calendar quarter "for public relations, advertising or similar activities" if they urge others to communicate directly with city officials in order to attempt to influence municipal legislation. The Ordinance does not define "public relations, advertising or similar activities." Please clarify the meaning of these terms.

Neither "advertising" nor "public relations" are defined in the Ordinance, Political Reform Act, or the FPPC regulations. Lacking such a definition and absent any Ethics Commission regulation clarifying these terms, the Commission looks for general guidance to the common usage of such terms. In this instance, the Commission, refers to the *Webster's Ninth New Collegiate Dictionary*. "Advertising" is defined as "the action of calling something to the attention of the public esp[ecially] by paid announcements." "Public relations" is defined as "the business of inducing the public to have understanding for and goodwill toward a person, firm, or institution." We therefore conclude that payments or expenditures for such activities, when conducted by a person other than lobbyist, lobbying firm or lobbyist employer, count toward the \$5,000 per calendar quarter reporting threshold for "major filers." To determine the applicability of these terms under City law, however, specific facts will be necessary.

8. An "administrative client" is a person "represented" by another person in an administrative proceeding. However, the Ordinance does not define the term "representation." Thus, it is not clear whether "representation" requires a personal appearance. Moreover, it is not clear whether compensated or uncompensated (i.e., pro bono or volunteer) representation triggers status as an administrative client. Please clarify the meaning of the word "represented."

The term "represented" is, indeed, not defined in the Ordinance, Act, or the regulations of the Fair Political Practices Commission. Lacking such a definition and absent any Ethics Commission regulation clarifying these terms, the Commission looks for general guidance to the common usage of such terms. We therefore interpret this term to mean the following: Person A is "represented" by Person B in an administrative proceeding when Person B acts on Person A's behalf in an attempt to influence a government action taken in the administrative proceeding. Furthermore, it is clear from the threshold provided in the definition of "administrative client" that only compensated representation triggers this status.

9. Section 48.06 contains an obsolete reference to the notification requirement contained in earlier drafts of section 48.05. We assume that this reference should be deleted.

Yes, you are correct that the reference to the "notification required by Section 48.06" refers to an earlier draft on the Ordinance. This requirement was not included in the final language approved by the City Council. Therefore, this reference may be disregarded.

10. The Ordinance states that a lobbyist retains that status through January 15 of the next calendar year. We assume that, absent re-registration on or before January 15, a lobbyist's registration for the preceding calendar year is automatically terminated and he or she need not file a report for the first calendar quarter covering January 1 through January 15. Please confirm.

Section 48.07 B states, in pertinent part:

A person who registers as a lobbyist or lobbying firm shall retain that status through January 15 of the following calendar year unless and until that person terminates the status as set forth below. A person who continues to qualify as a lobbyist or lobbying firm on January 15 of the year after initial registration shall renew that registration on or before January 15.

This section means that each registration during a calendar year remains valid through January 15 of the following year unless and until the lobbyist or lobbying firm terminates before that date. If a lobbyist or lobbying firm knows it will not qualify after the end of the year, it should file a termination statement at the end of the calendar year. Any person who has terminated as of the end of the calendar year need not file a report for the period January 1 through January 15 unless that person has qualified during the period. Lobbyist and lobbying firm re-registrations must be filed with the Ethics Commission within 10 calendar days of meeting the registration threshold.

11. The Ordinance states that: "Information required to be disclosed concerning lobbying receipts or expenditures shall be disclosed either by the lobbyist or by his or her lobbying firm or employer." This appears to contradict the commands in the Manual (pages 12-13) stating that such information **MUST** be included in either the employer or firm reports (which would preclude a lobbyist from disclosing such information). Please clarify these apparently contradictory statements.

Mr. Brian W. Maas

October 24, 1994

Page 6

These statements are not contradictory. The statement contained in the Ordinance to which you refer was added at Sec. 48.08 A (1) during the City Council's consideration to clarify that no duplicative reporting would be required. Pursuant to its authority under Charter Section 600, the Ethics Commission has simply clarified by regulation which disclosures are required by whom. ¹

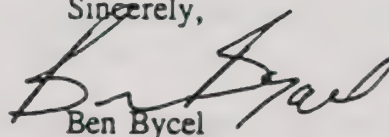
12. In addition to the civil enforcement authority granted the City Attorney, the CEC is authorized to impose administrative penalties. Are we correct in interpreting these provisions to mean that the CEC can levy fines of up to \$5,000 per violation or three times the amount improperly reported, whichever is greater, while the City Attorney may seek civil relief in court of only a maximum of \$2,000 per violation of the amount improperly reported whichever is greater?

Yes. The Ethics Commission may pursue enforcement through its administrative enforcement procedures. City Charter Section 600 O allows the Commission to impose administrative penalties of up to \$5,000 per violation. The Ethics Commission may also seek civil actions through a court action brought by the City Attorney pursuant to Section 48.09 C 1. That provision provides, in part:

Failure to properly report any receipt or expenditure may result in civil penalties not to exceed the amount not properly reported, or \$2,000, whichever is greater. Any other violation may result in civil penalties no greater than \$2,000. If the court determines that a violation was intentional, the court may order that the defendant be prohibited from acting as a lobbyist or otherwise attempting to influence municipal legislation for one year.

Thank you for checking with the Ethics Commission on these questions. If you have any questions concerning this advice, please contact Dominic Alfaro at (213) 237-0310.

Sincerely,



Ben Bycel
Executive Director

a:\advice94\maas2

¹ On July 7, 1994, the Ethics Commission adopted the regulation approving the forms and instructions. This regulation is currently pending before the City Council.

CITY OF LOS ANGELES
CALIFORNIA

CITY ETHICS COMMISSION

DENNIS E. CURTIS
PRESIDENT

TREESA WAY DRURY

EVE FISHER

EDWIN GUTHMAN

ANN PETRONI



BENJAMIN BYCEL
EXECUTIVE DIRECTOR

CITY ETHICS COMMISSION

201 NO. LOS ANGELES ST.

L.A. MALL - SUITE 2

LOS ANGELES, CA 90012

(213) 237-0310

(213) 485-1093 FAX

December 19, 1994

Mr. William E. Hogue
Los Angeles Retired Fire & Police Association, Inc.
9521 Las Tunas Drive, Suite 4
Temple City, California 91780

Dear Mr. Hogue:

This letter is in response to your letter of November 9, 1994, to the Ethics Commission seeking formal written advice regarding the applicability of the Los Angeles Municipal Lobbying Ordinance (Los Angeles Municipal Code Section 48.01 *et seq.*, as amended, the "Ordinance") to the activities of your organization. Your question and the Commission's response are provided below.

QUESTION

Does the Los Angeles Retired Fire and Police Association Inc., (the "Association") or any of its representatives, have any reporting or disclosure requirements pursuant to the Ordinance?

FACTS

Based on your letter to the Commission and conversations with you, we have determined the following facts to be relevant to your inquiry:

1. The Association is an association incorporated in the State of California which represents retired employees of the Los Angeles Department of Fire, the Los Angeles Police Department, their spouses and dependent children, and surviving widows and widowers.
2. Among the duties of the Association are representing these persons' interests before various City agencies, including the City Council.
3. The Association's representatives do not receive any compensation for their services.

APPLICABLE LAW

Los Angeles Municipal Code Section 48.02 states, in pertinent part:

"Attempting to influence" means promoting, supporting, opposing or seeking to modify or delay any action on municipal legislation by any means, including but not limited to providing or using persuasion, information, statistics, analyses or studies. A person attempts to influence municipal legislation when he or she communicates directly with any agency officer or employee for the purpose of influencing a decision.

"Lobbyist" means any person who receives or becomes entitled to receive \$4,000 or more in compensation during any calendar quarter to communicate directly (either personally or through his or her agents) for the purpose of attempting to influence municipal legislation on behalf of any other person.

"Lobbyist employer" means an entity, other than a lobbying firm, that employs a lobbyist in-house on its behalf.

"Major filer" means any person who makes payments or incurs expenditures totaling \$5,000 or more during any calendar quarter for public relations, advertising or similar activities, incurred for the purpose of soliciting or urging other persons to directly communicate with any City official in order to attempt to influence action on municipal legislation. However, a "major filer" does not include a lobbyist, lobbyist employer, lobbying firm. Expenditures and payments for regularly published newsletters or other routine communications between an organization and its members shall not be counted for the purpose of this definition.

"Municipal legislation" means any matter proposed or pending before any agency (as defined by this Article), including an administrative proceeding, if the Mayor, the City Council, any of its committees, any agency board, commission, committee or general manager, or any agency officer or employee charged by law with holding a hearing and making a decision, is charged by law with making a final decision on the matter.

ANALYSIS AND CONCLUSION

Based on the information provided by you, representatives of the Association do not receive compensation of any type for their attempts to influence municipal legislation. Under the Municipal Lobbying Ordinance, *only those persons who receive or become entitled to receive \$4,000 or more during a calendar quarter in compensation for attempting to influence municipal legislation on behalf of another person must register with the Commission.* Since the Association's representatives are not paid, they will not meet this registration threshold.

Ms. William E. Hogue
December 19, 1994
Page 3

The Ordinance requires quarterly disclosure reports of all lobbyists and lobbyist employers. Based on the facts as presented, no representative of the Association will qualify as a lobbyist pursuant to § 48.02. Therefore, neither the Association nor its representatives will be required to file quarterly disclosure reports with the Commission.

The Association, however, may be subject to the "major filer" provisions of the Ordinance. Should the Association make or incur expenditures of \$5,000 or more during a calendar quarter for public relations, advertising or similar activities urging others to communicate with any City official for the purpose of influencing municipal legislation, then it would qualify as a major filer and must file major filer reports for that quarter.

For your information, we have included a lobbyist information packet. It contains a copy of the Ordinance, registration and disclosure forms, and an instruction manual. Please review them at your convenience.

Thank you for checking on this matter with the Ethics Commission. If you have any further questions regarding this advice, please contact Dominic Alfaro of the Policy and Operations Division at (213) 237-0310.

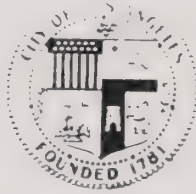
Sincerely,



Ben Bycel
Executive Director

enclosures
advice94\hogue2

CITY OF LOS ANGELES
CALIFORNIA



ETHICS COMMISSION
DENNIS E. CURTIS
PRESIDENT
TRESSA WAY DRURY
VICE PRESIDENT
EVE FISHER
EDWIN GUTHMAN
ANN PETRONI

ETHICS COMMISSION
CITY ETHICS COMMISSION
201 NO. LOS ANGELES ST.
L.A. MALL - SUITE 2
LOS ANGELES, CA 90012
(213) 237-0310
(213) 485-1093 FAX

February 7, 1995

Mr. Brian W. Maas
Pillsbury Madison & Sutro
400 Capital Mall, Suite 1700
Sacramento, California 95814

Dear Mr. Maas:

The Ethics Commission has received your letter of December 22, 1994, requesting review and clarification of its December 7, 1994 letter to Gayle Greenwood of Pacific Bell. Your request is answered herein as a separate request for written advice.

We have carefully reviewed your request that we reconsider the conclusion reached in our December 7, 1994, letter. Based on the facts presented by Pacific Bell, we have decided not to revise that conclusion.

QUESTIONS

1. Will the Commission reconsider its advice issued to Gayle Greenwood concerning the valuation of gifts to City officials?
2. If not, how should this gift be reported by both the officials receiving the gift and the entities making the activity expense?

FACTS

1. On December 7, 1994, the Commission issued formal written advice to Gayle Greenwood of Pacific Bell addressing the City's gift limitations in connection with a holiday luncheon to be co-hosted by Pacific Bell and four other utilities serving Los Angeles. The Commission advised Ms. Greenwood that for the purposes of the gift limitations, any City official attending the holiday luncheon must add the total value of attending the luncheon (including the meal and any gift received) with any gifts he or she received from any single restricted source from among the five utilities to determine if attending the luncheon would cause that official to exceed the limitations of § 49.5.10 A.
2. You act as a legal representative for the Pacific Telesis Group, of which Pacific Bell is a subsidiary.

3. Ms. Greenwood was registered as a lobbyist with the Ethics Commission during the Fourth Quarter of 1994.

APPLICABLE LAW

For your convenience, applicable provisions of City and state law are set forth in the Addendum.

ANALYSIS

In your letter requesting the review of the Commission's advice, you noted that the Fair Political Practices Commission ("FPPC") has issued advice stating that the value of gifts from multiple donors are allocated to those donors on a pro-rata basis for the purposes of calculating both gift limitations and disclosure.

City Gift Limitations vs. State Gift Limitations

You are correct in stating that the Fair Political Practices Commission has advised that "a gift made by multiple donors to an elected state officer, member of a state board or commission, or designated employee of a state agency, is, for purposes of the [Political Reform] Act's gift limitation, valued at the pro-rata share of the gift paid by each donor." (See FPPC Advice Letter I-91-278.)

We do not apply the FPPC interpretation to the gift limitation of the Governmental Ethics Ordinance because we believe that its interpretation would not advance the purpose of that limitation. The City has narrowly defined the class of person who may make only nominal gifts to City officials (lobbyists and lobbying firms), and the class of persons who may make gifts to City officials of no more than \$100 per calendar year (other "restricted sources").¹ The Governmental Ethics Ordinance seeks to strictly limit the gifts that a City official may receive from persons who are most likely to be seeking relief from that official. Lobbyists, lobbying firms and other "restricted sources" are precisely those persons. If several persons who are "restricted sources" were allowed to pool their resources to make larger gifts to City officials, the City's policy would be undermined.

In light of this advice, you have also asked the Commission to clarify the necessary reporting requirements to which a City official receiving the gift and Pacific Bell may be subject. The Commission advises that the luncheon and gift exchange be reported as described below.

¹ See definition of "restricted source" in LAMC § 49.5.2.

Disclosure of Gift by Recipient

City officials are to disclose various type of income, including gifts, from reportable sources pursuant to the Political Reform Act and the regulations of the FPPC. All gifts received, valued at \$50 or more, must be disclosed by the official on his or her statement of economic interests. In the case of a gift from multiple donors, the official would disclose the gift in accordance with §18945.4.

For example, in the case of a City official attending the holiday luncheon and gift exchange, as described above, that official received a gift valued at \$70 from multiple donors. Because the gift is valued at more than \$50, it must be disclosed. However, the total cost of the luncheon and gift exchange was divided equally among the five participating utilities. Since each donor's pro-rata share of the total value of the luncheon and any gift is less than \$50, the official need not identify each donor participating in the gift, as required by § 18945.4. The official should identify the donor in this instance as "five local utility companies, none of which donated \$50 or more toward my share of the gift."

Disclosure of "Activity Expenses" by Lobbying Entities

The pro-rata value of the gift attributable to each donor should also be used by the donor if that donor is required to file a quarterly lobbyist employer or lobbying firm report. The gift should be reported as an "activity expense," as defined more fully below.

The purpose of reporting activity expenses is to publicly disclose the amount of money such lobbying entities spend that in whole or in part benefits a City official or a member of that official's immediate family. Such expenses would include the expenses incurred when providing gifts such as a luncheon or other items. When a donor of a multi-party gift is a lobbying firm or lobbyist employer regulated by the Los Angeles Municipal Lobbying Ordinance (Los Angeles Municipal Code § 48.01 *et seq.*, as amended), that donor must itemize the "activity expense" if the filer expended \$25 or more for a gift benefitting the City official or his or her immediate family. All activity expenses less than \$25 in value should be reported as a lump sum figure.

Pacific Bell, therefore, would itemize the actual expense it incurred (*i.e.*, the firm's pro-rata portion of the multi-party gift) only if their expense is \$25 or more. Based upon the facts provided by Gayle Greenwood in her letter to the Commission, the expense incurred by Pacific Bell in connection with the holiday luncheon is less than \$25. Therefore, Pacific Bell need not itemize the expenditure as an activity expense. This amount, however, should be reflected in the lump sum category of activity expenses not itemized in the report.

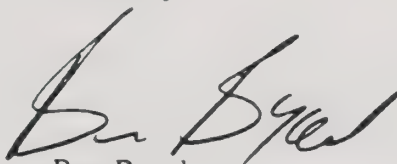
Mr. Brian W. Maas

February 7, 1995

Page 4

Thank you for checking on this matter with the Ethics Commission. If you have any further questions concerning this advice, please contact Dominic Alfaro of the Policy and Operations Division at (213) 237-0310.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Bycel", written in a cursive style.

Ben Bycel
Executive Director

advise95\maas2

ADDENDUM

APPLICABLE LAW

California Government Code § 82047 states:

"Person" means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, committee, and any other organization or group of persons acting in concert.

California Code of Regulations, Title II, § 18945.4 states:

A gift which is received from multiple donors if the gift's value equals or exceeds \$50. The name of any donor whose share of the gift is less than \$50 in value need not be separately reported; it is sufficient to describe in general terms those who gave the gift. If, however, the share of any donor or his or her [agent or] intermediary is \$50 or more in value, his or her name must be reported.

Los Angeles Municipal Code § 49.5.2 states, in pertinent part:

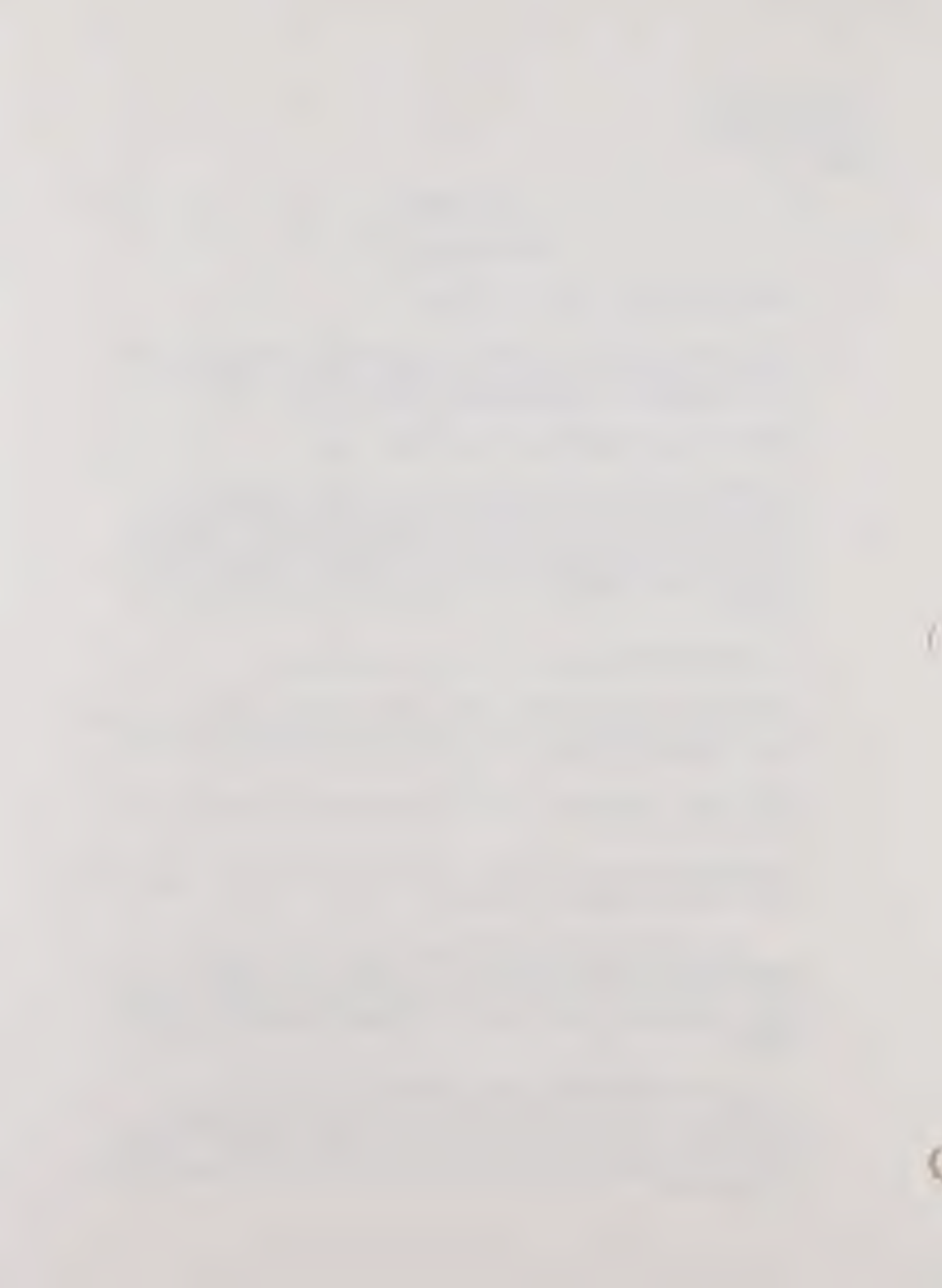
"City official" means any elective officer, member, officer, employee, commissioner or consultant of any agency ... who is required to file statements of economic interests pursuant to the conflict of interest code of his or her agency.

"Gift" means ... any payment to the extent that consideration of equal or greater value is not received

"Lobbying firm" means any business entity, including an individual contract lobbyist, which meets either of the following criteria:

(a) the business entity received or becomes entitled to receive any compensation, other than reimbursement of reasonable travel expenses, for the purpose of influencing legislative or administrative action on behalf of any other person; and any partner, owner, officer, or employee of the business entity is a lobbyist; or

(b) the business entity received or becomes entitled to receive any compensation, other than the reimbursement of reasonable travel expenses, to communicate directly with any elective city officer, agency official, or legislative official for the purpose of influencing legislative or administrative action on behalf of any other person.



"Lobbyist" means any individual who is required to register as a lobbyist or municipal advocate pursuant to any City ordinance requiring such registration.

"Lobbyist employer" means any person, other than a lobbying firm, who:

(a) Employs one or more lobbyists for economic consideration, other than reimbursement for reasonable travel expenses, for the purposes of influencing legislative or administrative action; or

(b) Contracts for the services of a lobbying firm for economic consideration, other than reimbursement for reasonable travel expense, for the purpose of influencing legislative or administrative action.

"Person" means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, association, committee, or any other group of persons acting in concert.

"Restricted source" ... [w]ith regard to filers other than "high level filers," and with regard to officials other than "high level officials," ... means:

(a) a lobbyist, lobbying firm, or lobbyist employer, seeking to influence decisions of the filer's agency;

(b) a person doing or seeking to do business with the filer's agency;

(c) a person who, during the reporting period, knowingly attempted to influence the official in any legislative or administrative action which would have direct material financial effect on such person;

(d) or a person who is a party to a proceeding involving a license, permit or other entitlement for use while a proceeding involving such matter is, or within the prior nine months was, pending before the official or before a board, commission, committee or other similar body of which the official is a voting member, and for nine months following the date a final decision is rendered in the proceeding.

Los Angeles Municipal Code § 49.5.10 A 1, 3, 4 and 5 state:

1. No person shall offer or make, and no City official shall solicit or accept, any gift with the intent that the official will be influenced thereby in the performance of any official act.

3. Except in the case of a lobbyist or lobbying firm, no person who is a restricted

source shall offer or make, and no City official shall accept, any gift from a restricted source which would cause the cumulative amount of gifts from such source to the City official to exceed \$100 during any calendar year.

4. No lobbyist or lobbying firm shall make, and no City official shall accept, any gift from a lobbyist or lobbying firm which is a restricted source as to that official. The prohibition of this subdivision shall not apply to gifts of office or other hospitality, or other gifts of nominal value, so long as the cumulative value of such gifts from a single source does not exceed \$25 during any calendar year.

5. No lobbyist or lobbying firm shall act as an agent or intermediary in the making of any gifts or arrange for the making of any gift by another person to any City official.

Los Angeles Municipal Code § 48.02 states:

"Activity expense" means any payment, including any gift, made to or directly benefitting any City official or member of his or her immediate family, made by a lobbyist, lobbying firm or lobbyist employer.

"Attempting to influence" means promoting, supporting, opposing or seeking to modify or delay any action on municipal legislation by any means, including but not limited to providing or using persuasion, information, statistics, analyses or studies. A person attempts to influence municipal legislation when he or she communicates directly with any agency officer or employee for the purpose of influencing a decision.

"Lobbyist" means any person who receives or becomes entitled to receive \$4,000 or more in compensation during any calendar quarter to communicate directly (either personally or through his or her agents) for the purpose of attempting to influence municipal legislation on behalf of any other person.

"Lobbyist employer" means any entity, other than a lobbying firm, that employs a lobbyist in-house to lobby on its behalf.

"Municipal legislation" means any matter proposed or pending before any agency (as defined in this Article), including an administrative proceeding, if the Mayor, the City Council, any of its committees, any agency board, commission, committee, or general manager, or any agency officer or employee charged by law with holding a hearing and making a decision, is charged by law by law with making a final decision on the matter.

Mr. Brian W. Maas
February 7, 1995
Page 8

Los Angeles Municipal Code § 48.07 D 8 states:

[Quarterly reports by lobbyist employers shall contain ... t]he date, amount and description of each activity expense of \$25 or more made by the lobbyist employer during the reporting period, the name and title of the City official benefitting from the expense, and the name and address of the payee.

CITY OF LOS ANGELES
CALIFORNIA

CITY ETHICS COMMISSION

DENNIS E. CURTIS
PRESIDENT
TRESSA WAY DRURY
VICE-PRESIDENT
EVE FISHER
EDWIN GUTHMAN
ANN PETRONI



CHARLES B. LEE
EXECUTIVE DIRECTOR

CITY ETHICS COMMISSION
201 NO. LOS ANGELES ST.
LA MALL - SUITE 2
LOS ANGELES, CA 90012
(213) 237-0310
(213) 485-1093 FAX

February 2, 1995

Mr. Arthur K. Snyder
Snyder & Archuleta
355 South Grand Avenue, Suite 3788
Los Angeles, California 90071-3101

Dear Mr. Snyder:

The Ethics Commission has received your letter of November 15, 1994, regarding the Los Angeles Municipal Lobbying Ordinance (Los Angeles Municipal Code § 48.01 *et seq.*, as amended, the "Ordinance"). Your questions and the Commission's responses are provided below.

QUESTIONS AND ANSWERS

1. "We reviewed our client matters to determine those which involve any City of Los Angeles decisionmaker. We then reviewed the time spent on those matters to determine the time for which attorneys are compensated (40 hours per week) versus time spent lobbying on City matters. We took the percentage and calculated the amount of salary entitled to be received (or actually received, whichever was higher) for the quarter. Based on our approach, to date no employee of the firm has reached the threshold to qualify as a lobbyist. Is this the proper procedure for determining quarterly compensation for employees of a lobbying firm? Is this compensation computed only on a quarterly basis or is it cumulative?"

Response

As defined in LAMC § 48.02, a "lobbyist" is:

... any person who receives or becomes entitled to receive \$4,000 or more in compensation during any calendar quarter to communicate directly (either personally or through his or her agents) for the purpose of attempting to influence municipal legislation on behalf of any other person.

Further, the same section defines "attempting to influence" and "municipal legislation" used in the definition of "lobbyist":

"Attempting to influence" means promoting, supporting, opposing or seeking to modify or delay any action on municipal legislation by any means, including but not limited to providing or using persuasion, information, statistics, analyses or studies. A person attempts to influence municipal legislation when he or she communicates directly with any agency officer or employee for the purpose of influencing a decision.

"Municipal legislation" means any matter proposed or pending before any agency (as defined by this Article), including an administrative proceeding, if the Mayor, the City Council, any of its committees, any agency board, commission, committee or general manager, or any agency officer or employee charged by law with holding a hearing and making a decision, is charged by law with making a final decision on the matter.

The method used for the calculation of compensation described in your letter is incorrect. You base your calculations upon communications with "Los Angeles decisionmakers." This term is not defined in your letter, and it is not clear from your letter if this term has the same meaning as the term "City official," which is defined by the Ordinance. Further, you state that your firm considered registration only for its attorneys. The definition of lobbyist, however, makes no distinction based upon an individual's professional title. The firm, therefore, should make a determination for each employee of the firm who receives compensation for attempting to influence municipal legislation. If that individual receives or becomes entitled to receive \$4,000 during any single calendar quarter for his or her municipal lobbying activities, whether an attorney or not, then he or she must register with the Ethics Commission as a lobbyist within 10 days of so qualifying.

According to the definition of "lobbyist," a firm must determine if an individual's compensation meets or exceeds the registration threshold by multiplying the percentage of time spent on municipal lobbying activities by the total amount of compensation which the employee receives or becomes entitled to receive. You should base your calculation on time spent engaged in activities which involve attempts to influence municipal legislation. See CEC Opinion 95-001, copy attached, for those activities which count toward the threshold.

Total compensation is that compensation which the employee receives or becomes entitled to receive during any single calendar quarter for municipal lobbying activities on behalf of another person. That compensation includes, but is not limited to: gross wages, gross salary, bonuses, dividends and any other distributed profits, partnership draws, and other form of earned taxable income attributable to the time spent by an individual in connection with municipal lobbying activities. Thus, for example, if an employee received both a salary and a partnership draw, the appropriate percentage of both must be calculated to determine whether the employee qualifies as a lobbyist.

Mr. Arthur K. Snyder
February 2, 1995
Page 3

2. Is a lobbying firm not required to register pursuant to the Ordinance until at least one of its employees qualifies as a lobbyist?

Response

A "lobbying firm" is defined in LAMC § 48.02 as follows:

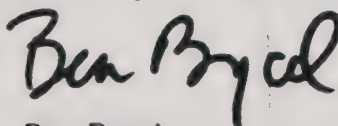
"Lobbying firm" means any entity, including an individual lobbyist, which receives or becomes entitled to receive compensation of \$4,000 or more during any calendar quarter to communicate directly (either personally or through its agents), for the purpose of attempting to influence municipal legislation on behalf of any other person, *provided any partner, owner, shareholder, officer or employee of the entity qualifies as a lobbyist* (emphasis added).

Thus, a firm which provides lobbying services for clients is not required to register as a "lobbying firm" until the firm receives or becomes entitled to receive \$4,000 in fees for those services in a calendar quarter and at least one partner, owner, officer or employee of the firm qualifies as a lobbyist.

Because you did not provide the Ethics Commission with any set of facts as to the nature of your firm's municipal lobbying activities or the compensation received by both the firm and the firm's employees in connection with these municipal lobbying activities, the Commission is unable to provide you with formal written advice. The above guidelines are offered as informal advice, and should be used to determine whether any employees of Snyder & Archuletta have met the municipal lobbying registration threshold. You should review your firm's records from August 10, 1994, onward, accordingly. Please note that compliance with informal advice does not provide you or your firm with immunity from enforcement actions undertaken by the Ethics Commission.

Thank you for checking on this matter with the Ethics Commission. If you have any further questions regarding this advice, please contact LeeAnn Pelham, Deputy Director for Operations, at (213) 237-0310.

Sincerely,



Ben Bycel
Executive Director

CITY OF LOS ANGELES
CALIFORNIA

CITY ETHICS COMMISSION

DENNIS E. CURTIS
PRESIDENT
TREESA WAY DRURY
VICE-PRESIDENT
EVE FISHER
EDWIN GUTHMAN
ANN PETRONI



BENJAMIN B. BOEL
EXECUTIVE DIRECTOR

CITY ETHICS COMMISSION
201 NO. LOS ANGELES ST.
L.A. MALL - SUITE 2
LOS ANGELES, CA 90012
(213) 237-0310
(213) 485-1093 FAX

March 1, 1995

Mr. Arthur K. Snyder
Snyder & Archuleta
355 South Grand Avenue, Suite 3788
Los Angeles, CA 90071-3101

Dear Mr. Snyder:

This is in response to your letter dated February 13, 1995, in which you request clarification regarding the applicability of the City's municipal lobbying ordinance (LAMC § 48.01 et seq., *as amended*) to the two hypothetical situations described in your letter.

Regarding the case of Employee X. Any person who earns \$40.38 per hour in compensation for his or her attempts to influence municipal legislation as defined in the Ordinance would be required to register as a lobbyist with the City Ethics Commission if that individual performs 99.06 hours or more of municipal lobbying activities during any calendar quarter. In this case, the firm of which that individual is a partner, owner, shareholder, officer or employee would also be required to register as a "lobbying firm" if it also receives \$4,000 or more from its clients for its municipal lobbying activities (LAMC § 48.02).

Regarding the case of Employee Y. Any individual who receives or *becomes entitled to receive* \$4,000 or more in compensation during any calendar quarter for his or her attempts to influence municipal legislation would be required to register as a lobbyist with the Ethics Commission, regardless of whether the compensation received is an advance as you describe or another type of payment for services provided. It would be reasonable, in determining whether Employee Y qualified as a lobbyist, to make that determination based on the calculations described in your letter.

Please note that Opinion No. 95-001 did not modify or amend the City's lobbying ordinance. The Ethics Commission has the authority to give advice to persons whose conduct is governed by the ordinance and, in so doing, it may interpret provisions of the ordinance and may apply its interpretations to facts provided in a request for advice. This is precisely what the Ethics Commission did in Opinion No. 95-001.

Mr. Arthur K. Snyder
March 1, 1995
Page Two

In response to your question regarding the effective date of Ethics Commission Opinion No. 95-001, you may wish to refer to my previous letter dated February 14, 1995 (copy enclosed), which appears to have crossed in the mail with your letter of February 13, 1995.

If you have any other questions about this matter, please do not hesitate to contact me at (213) 237-0310.

Sincerely,

A handwritten signature in cursive script, appearing to read "LeeAnn M. Pelham", followed by a horizontal line.

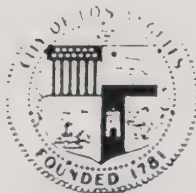
LeeAnn M. Pelham
Deputy Director for Operations

Enclosure

CITY OF LOS ANGELES
CALIFORNIA

CITY ETHICS COMMISSION

DENNIS E. CURTIS
PRESIDENT
TREESA WAY DRURY
VICE-PRESIDENT
EVE FISHER
EDWIN GUTHMAN
ANN PETRONI



BENJAMIN BYCEL
EXECUTIVE DIRECTOR

CITY ETHICS COMMISSION
201 NO. LOS ANGELES ST.
LA MALL - SUITE 2
LOS ANGELES, CA 90012
(213) 237-0310
(213) 485-1093 FAX

March 7, 1995

Ms. Sandee Spiker
Ken Spiker and Associates, Inc.
14156 Magnolia Boulevard, Suite 103
Sherman Oaks, CA 91423

Dear Ms. Spiker:

The City Ethics Commission has received your letter of November 8, 1994, requesting written advice concerning two questions: (1) the partial reimbursement of lobbyist registration fees, and (2) the application of gift limits to gifts offered to the staff of a councilmember's office. Your first question was answered in the Commission's letter to you of December 16, 1994. Since your letter did not provide specific facts, the answer to your second question is offered as *informal* advice.

The final draft of this letter was delayed for several weeks pending approval from the Office of the City Attorney. We apologize for any inconvenience this delay may have caused.

QUESTION

May Ken Spiker and Associates (the "firm") provide a gift basket to the staff of a Councilmember valued at \$25 if during the same calendar year the firm the firm has paid for a breakfast in connection with a meeting between firm employees and the Councilmember valued at \$13.50?

FACTS

Based on your letter to the Ethics Commission, we have determined the following facts to be relevant to your inquiry:

1. Ken Spiker and Associates is currently registered as a lobbying firm under the Municipal Lobbyist Registration Ordinance (Los Angeles Municipal Code Section 48.01 *et seq.*, as amended).
2. Three employees of the firm, Kenneth Spiker, Ken Spiker, Jr., and Kimberly Spiker Nevel are registered with the Ethics Commission as lobbyists.

APPLICABLE LAW

For a summary of the applicable law for this advice, please see Attachment 1.

ANALYSIS AND CONCLUSION

As a "lobbying firm," your firm may not make gifts to a member of the City Council other than "gifts of office or other hospitality, or other gifts of nominal value. The cumulative value of such nominal gifts from the firm must not exceed \$25 during any calendar year" (LAMC § 49.5.10).

Similarly, your firm may not make gifts (other than the gifts of hospitality and other nominal gifts described above) to members of a Councilmember's staff who qualify as "City officials" within the meaning of the Governmental Ethics Ordinance (LAMC § 49.5.01 *et seq.*, the "Ordinance"). Because your firm attempts to influence decisions of the City Council, your firm is a "restricted source" with regard to the members of the Councilmembers' staffs.

Interpreting the provisions of the Political Reform Act of 1974, as amended, relating to "gifts," the staff of the Fair Political Practices Commission (FPPC) has consistently advised that when a gift is offered addressed to a governmental official, even if it is offered to the official with the intent that the official will share the gift with members of his or her staff, it is treated as a gift to that official and attributed as such for the purposes of the gift limitations and disclosure requirements of that Act.

We concur with the FPPC's rationale that a gift addressed to an elected official is in fact under his or her control, even if "... and Staff" is also listed on the gift card. Thus, if the gift basket is addressed to a member of the Council, or if the surrounding facts otherwise indicate that the Councilmember will actually control the use of the gift, the gift must be treated as a gift to the Councilmember even if the firm intends that the member will share the gift with his or her staff.

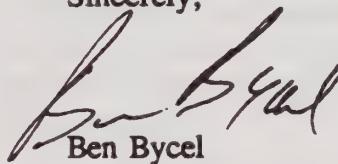
If your firm intends to make a gift to the members of a Councilmember's staff, you should address any transmittal document to "the staff" of the member and should clearly indicate that the members of the staff alone are to share the gift among themselves. If you do so, the value of the gift will not apply against the limit on nominal gifts which your firm may make to the Councilmember directly. Rather, it will apply against the nominal gift limit applicable to members of his or her staff.

Ms. Sandee Spiker
March 7, 1995
Page 3

Please note that all registered lobbyists employed by the firm are prohibited from acting as an intermediary for any gift to a City official by § 49.5.10 A 5. Therefore, no lobbyist registered by your firm may deliver any gift to a City official, no gift may be offered to a City official in name of any of these lobbyists, nor may such a lobbyist arrange for any other person to provide such a gift to a City official.

Thank you for checking with the Ethics Commission on this matter. If you have any questions concerning this advice, please contact Dominic Alfaro at (213) 237-0310.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ben Bycel", is written over the typed name.

Ben Bycel
Executive Director

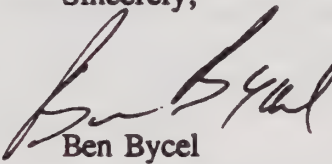
a:\advice95\spiker1

Ms. Sandee Spiker
March 7, 1995
Page 3

Please note that all registered lobbyists employed by the firm are prohibited from acting as an intermediary for any gift to a City official by § 49.5.10 A 5. Therefore, no lobbyist registered by your firm may deliver any gift to a City official, no gift may be offered to a City official in name of any of these lobbyists, nor may such a lobbyist arrange for any other person to provide such a gift to a City official.

Thank you for checking with the Ethics Commission on this matter. If you have any questions concerning this advice, please contact Dominic Alfaro at (213) 237-0310.

Sincerely,



Ben Bycel
Executive Director

a:\advice95\spiker1

"Lobbyist" means any person who is required to register as a lobbyist or municipal advocate pursuant to any ordinance requiring such registration.

"Restricted source" means the following in regard to each of the following classes of City officials:

(1) With regard to "high level filers" and "high level official," "restricted source" means:

- (a) a lobbyist, lobbying firm, or lobbyist employer;
- (b) a person doing or seeking to do business with the City;
- (c) a person who, during the reporting period, knowingly attempted to influence the official in any legislative or administrative action which would have a direct material financial effect on such person; or
- (d) a person who is party to a proceeding involving a license, permit or other entitlement for use while a proceeding involving such matter is, or within the prior nine months was, pending before the official or before the City Council or a board, commission, committee, or other similar body of which the official is a voting member, and for nine months following the date a final decision is rendered in the proceeding.

(2) With regard to filers other than "high level filers" and with regard to officials other than "high level officials," "restricted source" means:

- (a) a lobbyist, lobbying firm, or lobbyist employer, seeking to influence decisions of the filer's agency;
- (b) a person seeking to do business with the filer's agency;
- (c) a person who, during the reporting period, knowingly attempted to influence the official in any legislative or administrative action which would have a direct material financial effect on such person;
- (d) or a person who is a party to a proceeding involving a license, permit or other entitlement for use while a proceeding involving such matter is, or within nine months was, pending before the official or before a board, commission, committee or other similar body of which the official is a voting member, and for nine months following the date a final decision is rendered in the proceeding.

Los Angeles Municipal Code Section 49.5.10 A 1, 4 and 5 state:

(1) No person shall offer or make, and no City official shall solicit or accept, any gift with the intent that the City official will be influenced thereby in the performance of any official act.

(4) No lobbyist or lobbying firm shall make, and no City official shall accept, any gift from a lobbyist or lobbying firm which is a restricted source as to that official. The prohibition of this subdivision shall not apply to gifts of office or other hospitality, or other gifts of nominal value, so long as the cumulative value of such gifts from a single source does not exceed \$25 during any calendar year.

(5) No lobbyist or lobbying firm shall act as an agent or intermediary in the making of any gifts or arrange for the making of any gifts by another person to any City official.

Los Angeles City Ethics Commission
LOBBYIST QUARTERLY REPORT

Los Angeles Municipal Code Section 48.01 et seq., as amended

FOR THE CALENDAR QUARTER ENDING _____

INSTRUCTIONS: Each registered Lobbyist must file the original and one duplicate of this report with the City Ethics Commission pursuant to L.A.M.C. Sec. 48.08 on or before the last business day of the month following each calendar quarter.

Part I - Lobbyist Filer Information

Name of Lobbyist (Last, First, M.I.)				
Affiliation (Complete a or b only)				
a. Name of Lobbying Firm				
b. Name of Lobbyist Employer				
Business Address (Number and Street		Suite No.	City	State Zip)
Business Telephone ()				

Part II - Summary of Quarterly Lobbyist Activity (Attach corresponding schedules)

A. Total Reportable Campaign Contributions (Quarterly total from Section II A)	\$ _____
B. Total Activity Expenses (Quarterly total from Section II B)	\$ _____
C. Payments Received for Reportable Compensated Services (Quarterly totals from Section II C)	
1. Payments from City Candidates, Officeholders or Committees	\$ _____
2. Payments from City Agencies	\$ _____
Total Payments Received for Reportable Compensated Services	\$ _____

Part III - Verification by Filer

I have used all reasonable diligence in completing this form and attachments. I have reviewed the form and attachment and to the best of my knowledge the information contained herein is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on (date)	At (City and State)
By (Signature of Lobbyist)	

Quarterly Report of: _____
(Name of Lobbyist)

For Quarter Ending: _____

Section II A - Reportable Campaign Contributions

List below the name of each elected City officer, candidate for elective City office, and controlled committee of an elective City officer or candidate to which the Lobbyist contributed \$100 or more, or which the Lobbyist delivered, or for which the Lobbyist acted as intermediary during the quarter.

Date of Contribution	Name of City Candidate/Officer	Name of Committee	Committee ID Number	Amount
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$

Page Total, Lobbyist's Reportable Contributions	\$
--	----

☐ Check here to indicate if additional pages are attached which list other campaign contributions.

Quarterly Total, Lobbyist's Reportable Contributions	\$
---	----

Quarterly Report of: _____
(Name of Lobbyist)

For Quarter Ending _____

Section II B - Activity Expenses

Itemize below the lobbyist's reportable activity expenses of \$25 or more.

Date of Expense	Description of Expense	Name and Title of Person Benefitting from Expense
Name and Address of Payee		
Client, if any, on whose behalf the expense was made		Amount \$

Date of Expense	Description of Expense	Name and Title of Person Benefitting from Expense
Name and Address of Payee		
Client, if any, on whose behalf the expense was made		Amount \$

Date of Expense	Description of Expense	Name and Title of Person Benefitting from Expense
Name and Address of Payee		
Client, if any, on whose behalf the expense was made		Amount \$

Page Total, Itemized Activity Expenses	\$
---	----

() Check here to indicated if additional pages are attached which list other activity expenses.

Unitemized Activity Expenses for the Quarter	\$
---	----

Quarterly Total, All Activity Expenses	\$
---	----

Quarterly Report of: _____
(Name of Lobbyist)

For Quarter Ending _____

Section II C - Other Reportable Compensated Services:

1. Payments Received for Services Provided to a City Candidate, Officeholder, or Committee

Name of Committee for Which Firm Provided Compensated Services	
Committee Affiliation (Complete either a or b)	
a. Name of Candidate or Officeholder	b. Ballot Measure Number or Letter
Office Sought	Date of Election
Date of Election	
Description of Services Provided	
	Amount of Compensation Received \$

Name of Committee for Which Firm Provided Compensated Services	
Committee Affiliation (Complete either a or b)	
a. Name of Candidate or Officeholder	b. Ballot Measure Number or Letter
Office Sought	Date of Election
Date of Election	
Description of Services Provided	
	Amount of Compensation Received \$

Page Total, Payments from Candidates, Officeholders and Committees	\$
---	----

() Check here to indicate if additional pages are attached which list other payments.

Quarterly Total, Payments from Candidates, Officeholders and Committees	\$
--	----

Quarterly Report of: _____

(Name of Lobbyist)

For Quarter Ending _____

Section II C - Other Reportable Compensated Services:

2. Payments Received for Services Provided to a City Agency

Name of City Agency for Which Firm Provided Compensated Services		
Description of Contract or Contract Number		
Description of Services Provided		
	Amount of Compensation Received	\$

Name of City Agency for Which Firm Provided Compensated Services		
Description of Contract or Contract Number		
Description of Services Provided		
	Amount of Compensation Received	\$

Name of City Agency for Which Firm Provided Compensated Services		
Description of Contract or Contract Number		
Description of Services Provided		
	Amount of Compensation Received	\$

Page Total	
Payments from City Agencies	\$

() Check here to indicate if additional pages are attached which list other payments.

Quarterly Total,	
Payments from City Agencies	\$

LOBBYING FIRM QUARTERLY REPORT*Los Angeles Municipal Code Section 48.01 et seq., as amended***FOR THE CALENDAR QUARTER ENDING _____**

INSTRUCTIONS: Each registered lobbying firm, including an individual contract lobbyist, must file the original and one duplicate of this report with the City Ethics Commission on or before the last business day of the month following each calendar quarter.

Part I - Lobbying Firm Filer Information

Name of Lobbying Firm	
Business Address (Number and street)	
City, State, Zip	
Business Telephone ()	
Name of Person Authorized to Complete this Quarterly Report	

Part II - Lobbyist Information (See reverse for listing of firm's lobbyists)**Part III - Summary of Lobbyist Firm's Quarterly Activity**

A. Total Lobbying Expenditures for the Period (Quarterly total from Section III A, on reverse)	\$ _____
B. Total Lobbying Payments Received From All Clients (Quarterly total from attached Section III B)	\$ _____
C. Total Reportable Campaign Contributions (Quarterly total from attached Section III C)	\$ _____
D. Payments Received for Other Reportable Compensated Services (Quarterly totals from attached Section III D)	
1. Payments from City Candidates, Officeholders and Committees	\$ _____
2. Payments from City Agencies	\$ _____
Total Payments Received for Other Reportable Compensated Services	\$ _____

Part IV - Verification by Filer

I have used all reasonable diligence in completing this form and attachments. I have reviewed the form and any attachments and to the best of my knowledge the information contained herein is true and complete. I certify under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on (date)	At (City and State)
By (Signature of Person Authorized to Complete Firm's Report)	

Quarterly Report of: _____
(Name of Lobbying Firm)

For Quarter Ending _____

Part II - Lobbyist Information

List below the name of each lobbyist who is a partner, owner, shareholder, officer or employee of the firm.
(NOTE: The original quarterly report of each such lobbyist must be attached.)

Name of Lobbyist	Indicate Whether Lobbyist is a Partner, Owner, Shareholder, Officer or Employee of Lobbying Firm.

Section III A - Lobbying Expenditures for the Period

1. Payments to Lobbyists	\$
2. Payments to Employees Other than Lobbyists	\$
3. Activity Expenses (Quarterly total from attached Activity Expense schedule III A (3))	\$
4. All Other Expenditures Attributable to Attempts to Influence Municipal Legislation During this Calendar Quarter	\$
5. TOTAL LOBBYING EXPENDITURES FOR QUARTER	\$

Quarterly Report of: _____

For Quarter Ending _____

(Name of Lobbying Firm)

Schedule III A (3) - Activity Expenses

Itemize below the lobbying firm's reportable activity expenses of \$25 or more.

Date of Expense	Description of Expense	Name and Title of Person Benefitting from Expense
Name and Address of Payee		
Client, if any, on whose behalf the expense was made		Amount \$

Date of Expense	Description of Expense	Name and Title of Person Benefitting from Expense
Name and Address of Payee		
Client, if any, on whose behalf the expense was made		Amount \$

Date of Expense	Description of Expense	Name and Title of Person Benefitting from Expense
Name and Address of Payee		
Client, if any, on whose behalf the expense was made		Amount \$

Page Total, Itemized Activity Expenses	\$
---	----

() Check here to indicated if additional pages are attached which list other activity expenses.

Unitemized Activity Expenses for the Quarter	\$
---	----

Quarterly Total, All Activity Expenses	\$
---	----

Quarterly Report of: _____
(Name of Lobbying Firm)

For Quarter Ending _____

Section III B - Payments Received from Clients

Client Name	Item or description of municipal legislation for which firm or lobbyist represented client:	
Client Address (Number and Street)		
City, State, Zip		
Client Telephone ()	Total amount of payments from client during quarter	\$

Client Name	Item or description of municipal legislation for which firm or lobbyist represented client:	
Client Address (Number and Street)		
City, State, Zip		
Client Telephone ()	Total amount of payments from client during quarter	\$

Client Name	Item or description of municipal legislation for which firm or lobbyist represented client:	
Client Address (Number and Street)		
City, State, Zip		
Client Telephone ()	Total amount of payments from client during quarter	\$

Page Total, Payments Received from Clients	\$
---	----

() Check here to indicate if additional pages are attached which list other clients

Quarterly Total, Payments Received From Clients	\$
--	----

Quarterly Report of: _____
(Name of Lobbying Firm)

For Quarter Ending: _____

Section III C - Reportable Campaign Contributions

List below the name of each elected City officer, candidate for elective City office, and controlled committee of an elective City officer or candidate to which the Lobbying Firm contributed \$100 or more, or which the Lobbying Firm delivered, or for which it acted as intermediary during the quarter.

Date of Contribution	Name of City Candidate/Officer	Name of Committee	Committee ID Number	Amount
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$

Page Total, Firm's Reportable Contributions	\$
--	----

☐ Check here to indicate if additional pages are attached which list other campaign contributions.

Quarterly Total, Firm's Reportable Contributions	\$
---	----

Quarterly Report of: _____

For Quarter Ending _____

(Name of Lobbying Firm)

Section III D - Other Reportable Compensated Services:

1. Payments Received for Services Provided to a City Candidate, Officeholder, or Committee

Name of Committee for Which Firm Provided Compensated Services	
Committee Affiliation (Complete either a or b)	
a. Name of Candidate or Officeholder	b. Ballot Measure Number or Letter
Office Sought	Date of Election
Date of Election	
Description of Services Provided	
	Amount of Compensation Received
	\$

Name of Committee for Which Firm Provided Compensated Services	
Committee Affiliation (Complete either a or b)	
a. Name of Candidate or Officeholder	b. Ballot Measure Number or Letter
Office Sought	Date of Election
Date of Election	
Description of Services Provided	
	Amount of Compensation Received
	\$

Page Total, Payments from Candidates, Officeholders and Committees	\$
---	----

() Check here to indicate if additional pages are attached which list other payments.

Quarterly Total, Payments from Candidates, Officeholders and Committees	\$
--	----

Quarterly Report of: _____

For Quarter Ending _____

(Name of Lobbying Firm)

Section III D - Other Reportable Compensated Services:

2. Payments Received for Services Provided to a City Agency

Name of City Agency for Which Firm Provided Compensated Services		
Description of Contract or Contract Number		
Description of Services Provided		
	Amount of Compensation Received	\$

Name of City Agency for Which Firm Provided Compensated Services		
Description of Contract or Contract Number		
Description of Services Provided		
	Amount of Compensation Received	\$

Name of City Agency for Which Firm Provided Compensated Services		
Description of Contract or Contract Number		
Description of Services Provided		
	Amount of Compensation Received	\$

Page Total, Payments from City Agencies	\$
--	----

() Check here to indicate if additional pages are attached which list other payments.

Quarterly Total, Payments from City Agencies	\$
---	----

Los Angeles City Ethics Commission
LOBBYIST EMPLOYER QUARTERLY REPORT
Los Angeles Municipal Code Section 48.01 et seq., as amended

FOR THE CALENDAR QUARTER ENDING _____

INSTRUCTIONS: Each Lobbyist Employer must file the original and one duplicate of this report pursuant to L.A.M.C. Sec. 48.08 with the City Ethics Commission on or before the last day of the month following each calendar quarter.

Part I - Lobbyist Employer Filer Information

Name of Lobbyist Employer		
Address (Number and Street)		
City, State, Zip	Telephone ()	
Name of Person Authorized to Complete this Quarterly Report		
Address of Preparer, If Different From Above: (Number, Street, Suite No., City, State, Zip)		Phone ()

Part II - Lobbyist Information

(See listing of in-house lobbyists on reverse)

Part III - Municipal Lobbying Interests

(See reverse side of form)

Part IV - Summary of Lobbyist Employer Activity

(Attach corresponding schedules)

A. Total Lobbying Expenditures Made for the Period

(Quarterly total from Section IV A)

\$ _____

B. Total Reportable Campaign Contributions

(Quarterly total from Section IV B)

\$ _____

Part V - Verification by Filer

I have used all reasonable diligence in completing this form and any attachments. I have reviewed the form and any attachments and to the best of my knowledge the information contained herein is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on (date)	At (City and State)
By (Signature of Person Authorized to Complete Report on Behalf of Lobbyist Employer)	

Quarterly Report of _____
(Name of Lobbyist Employer)

For Quarter Ending _____

Part II - Lobbyist Information

List below the name of each in-house lobbyist who is employed by the Lobbyist Employer.

(Note: The original quarterly report of each in-house lobbyist must be attached).

Part III - Municipal Lobbying Interests

Quarterly Report of: _____

For Quarter Ending _____

(Name of Lobbyist Employer)

Schedule IV A (3) - Activity Expenses

Itemize below the lobbyist employer's reportable activity expenses of \$25 or more.

Date of Expense	Description of Expense	Name and Title of Person Benefitting from Expense
Name and Address of Payee		
Client, if any, on whose behalf the expense was made		Amount \$

Date of Expense	Description of Expense	Name and Title of Person Benefitting from Expense
Name and Address of Payee		
Client, if any, on whose behalf the expense was made		Amount \$

Date of Expense	Description of Expense	Name and Title of Person Benefitting from Expense
Name and Address of Payee		
Client, if any, on whose behalf the expense was made		Amount \$

Page Total, Itemized Activity Expenses	\$
---	----

() Check here to indicated if additional pages are attached which list other activity expenses.

Unitemized Activity Expenses for the Quarter	\$
---	----

Quarterly Total, All Activity Expenses	\$
---	----

Quarterly Report of: _____
(Name of Lobbyist Employer)

For Quarter Ending: _____

Section IV B - Reportable Campaign Contributions

List below the name of each elected City officer, candidate for elective City office, and controlled committee of an elective City officer or candidate to which the Lobbyist Employer contributed \$100 or more, or which the Lobbyist Employer delivered, or for which it acted as intermediary during the quarter.

Date of Contribution	Name of City Candidate/Officer	Name of Committee	Committee ID Number	Amount
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$
Check one: <input type="checkbox"/> Contributed <input type="checkbox"/> Delivered <input type="checkbox"/> Intermediary for				\$

Page Total,

Employer's Reportable Contributions

\$

☐ Check here to indicate if additional pages are attached which list other campaign contributions.

Quarterly Total,

Employer's Reportable Contributions

\$



101743101

Section 1: General Information		Section 2: Detailed Data	
Item ID	Description	Category	Value
101	Item 1 Description	Category 1	Value 1
102	Item 2 Description	Category 2	Value 2
103	Item 3 Description	Category 3	Value 3
104	Item 4 Description	Category 4	Value 4
105	Item 5 Description	Category 5	Value 5
106	Item 6 Description	Category 6	Value 6
107	Item 7 Description	Category 7	Value 7
108	Item 8 Description	Category 8	Value 8
109	Item 9 Description	Category 9	Value 9
110	Item 10 Description	Category 10	Value 10
111	Item 11 Description	Category 11	Value 11
112	Item 12 Description	Category 12	Value 12
113	Item 13 Description	Category 13	Value 13
114	Item 14 Description	Category 14	Value 14
115	Item 15 Description	Category 15	Value 15
116	Item 16 Description	Category 16	Value 16
117	Item 17 Description	Category 17	Value 17
118	Item 18 Description	Category 18	Value 18
119	Item 19 Description	Category 19	Value 19
120	Item 20 Description	Category 20	Value 20

Section 3: Summary		Section 4: Footer	
Item ID	Description	Category	Value
121	Item 21 Description	Category 21	Value 21
122	Item 22 Description	Category 22	Value 22
123	Item 23 Description	Category 23	Value 23
124	Item 24 Description	Category 24	Value 24
125	Item 25 Description	Category 25	Value 25
126	Item 26 Description	Category 26	Value 26
127	Item 27 Description	Category 27	Value 27
128	Item 28 Description	Category 28	Value 28
129	Item 29 Description	Category 29	Value 29
130	Item 30 Description	Category 30	Value 30